

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DONTE ROLANDO HARRIS
Plaintiff,

v.

STATE¹

Defendant.

*

* CIVIL ACTION NO. WMN-06-2644

*

MEMORANDUM

On October 6, 2006, this Court received Plaintiff's request filed pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, seeking any and all federal district court records under his name. However, federal courts and the clerks offices that receive court pleadings are not "agencies" covered under the FOIA. Indeed, the FOIA does not apply to courts of the United States. *See* 28 U.S.C. § 551; *Smith v. United States District Court for the Southern District of Illinois*, 956 F.2d 647, 649 n.1 (7th Cir. 1992); *see also Cook v. Willingham*, 400 F. 2d 885, 885-86 (10th Cir. 1968); *Harris v. United States*, 121 F. R. D. 652, 654 (W.D. N. C. 1988). Therefore, Plaintiff's FOIA request shall be dismissed in a separate Order. A separate Order follows.²

Date: October 30, 2006

_____/s/
William M. Nickerson
Senior United States District Judge

1. The Clerk shall amend the docket to reflect the proper defendant as the "United States district Court, Custodian of Records."

² Plaintiff did not file the \$350.00 civil filing fee or a motion for leave to proceed in forma pauperis. In light of the dismissal of this matter, he shall not be required to cure this deficiency.